

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Rev 98-25

In re Application
Pagano, et al.

Serial No. 09/843,000

Filed: April 26, 2001

For : NAIL ENAMEL COMPOSITIONS, RELATED :
METHODS AND A TWO COMPONENT :
KIT FOR PAINTING THE NAILS :

Examiner: Kyle A. Purdy

Art Unit: 1611

Confirmation No.: 7885

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DECLARATION OF ANJALI PATIL (37 C.F.R. §1.132)

1. I am a co-inventor of the above-mentioned patent application.
2. I have a Ph.D. in polymer chemistry, obtained from the Indian Institute of Technology in Bombay, India, in 1982. I have been employed by Revlon since 1992, conducting research and development in cosmetic products containing novel polymers. Prior to my experience at Revlon I worked for certain companies and universities in the development of new polymers and the study of polymeric structures.
3. Under my direction Example 8 of Strella (U.S. patent 3,928,656) was prepared as set forth below:

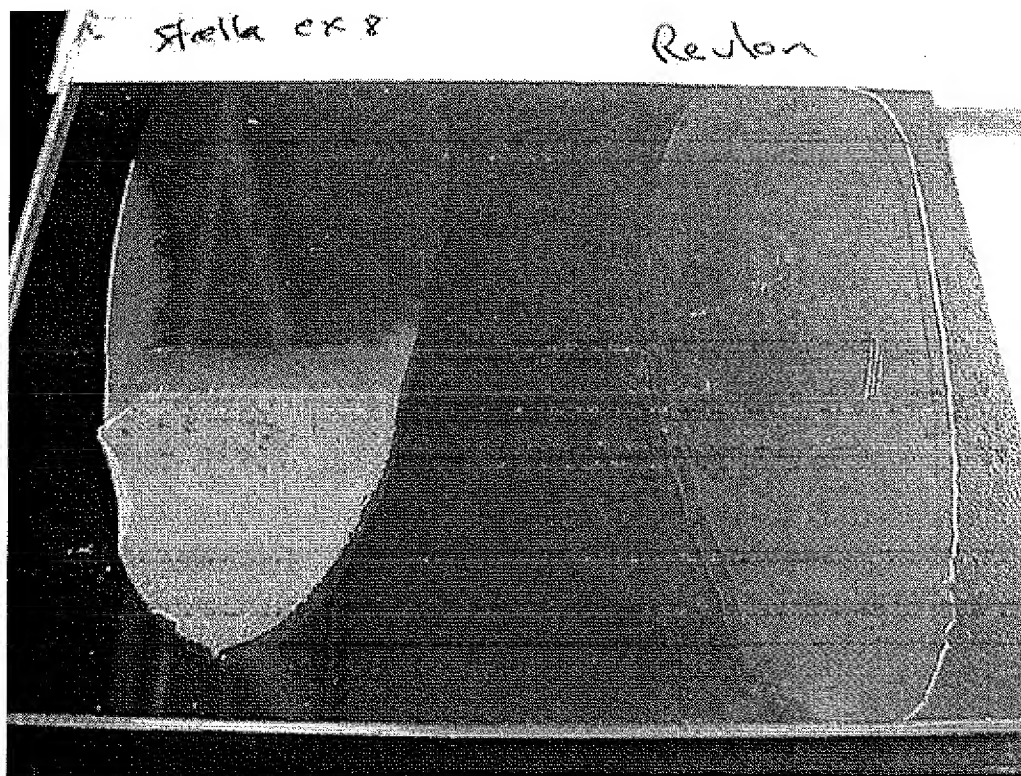
Strella Example 8 Substituting Methanol with Revlon's Solvent Composition

Raw Material	%
BMA/AA 95:5	15.7
Ethyl Acetate	47.0
Methoxy Isopropanol	6.5
Isopropanol	5.6
Butyl Acetate	23.9
KOH	1.4

4. A sample of the Revlon commercial product which falls under the claims of this application contains the following ingredients:

Ethyl Acetate, Butyl Acetate, Acrylates Copolymer, Dipropylene Glycol Dibenzoate, Methoxyisopropanol, Isopropyl Alcohol, Nitrocellulose, Stearalkonium Bentonite, Benzophenone-1, PPG-2 Dimethicone, Citric Acid, Malic Acid, Acetyl Tributyl Citrate, Tribenzoin, Phosphoric acid.

5. After making the solution and neutralizing with KOH, the Strella sample and Revlon commercial product were drawn down on a glass plate as a 6mil film (wet film thickness). Both samples were allowed to dry for 1.5hrs. The samples on the glass plate was half submerged in warm tap water and removed after 10min. Excess water was wiped off. The picture below shows the result of both Strella and Revlon after water treatment. The Revlon sample remains adhered to the glass plate. The Strella sample is peeling off the glass.



6. Conclusion: The above test result demonstrate that Strella and Perronin's composition is **NOT** capable of leaving a water-insoluble film on the nail and that the compositions are not substantially similar.

7. This declaration is made with the knowledge that willful false statements and the like are

punishable by fine or imprisonment or both under 35 U.S.C. §1001, and may jeopardize the validity of the above identified patent application or patent issuing therefrom.

January 29, 2009

Date

Anjali abhimanyu Patil

Anjali Abhimanyu Patil